

**APPROVED**



**SCOTTSDALE DEVELOPMENT REVIEW BOARD  
KIVA - CITY HALL  
3939 N. DRINKWATER BOULEVARD  
JANUARY 13, 2005  
MINUTES**

**PRESENT:** Betty Drake, Council Member  
E.L. Cortez, Vice Chairman  
Steve Steinberg, Commission Member  
Michael D'Andrea, Design Member  
Jeremy Jones, Design Member  
Kevin O'Neill, Design Member  
Michael Schmitt, Design Member

**STAFF:** Tim Curtis  
Randy Grant  
Al Ward  
Kira Wauwie  
Greg Williams

**CALL TO ORDER**

The regular meeting of the Scottsdale Development Review Board was called to order by Councilwoman Drake at 1:00 p.m.

**ROLL CALL**

A formal roll call confirmed members present as stated above.

**OPENING STATEMENT**

**COUNCILWOMAN DRAKE** read the opening statement that describes the role of the Development Review Board and the procedures used in conducting this meeting.

**ELECTION OF VICE CHAIRMAN**

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**MR. JONES NOMINATED E.L. CORTEZ AS VICE CHAIRMAN OF THE DEVELOPMENT REVIEW BOARD. SECOND BY MR. SCHMITT.**

**THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).**

**MINUTES APPROVAL**

December 16, 2004 DRB Minutes

**MR. JONES MADE A MOTION TO APPROVE THE DECEMBER 16, 2004, MEETING MINUTES AS PRESENTED. SECOND BY MR. D'ANDREA.**

**THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).**

**CONTINUANCES**

22-PP-2004	Horseman Park Estates Preliminary Plat E. of the NEC of 98 <sup>th</sup> St. & McDowell Mountain Road Techne Design, Architect/Designer <b><u>Continued date to be determined</u></b>
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**COUNCILWOMAN DRAKE** stated there are three items to be continued. Case 22-PP-2004 continued to a date to be determined. Cases 24-PP-2004 and 99-DR-2004 continued to January 27, 2005.

**VICE CHAIRMAN CORTEZ MOVED TO CONTINUE CASE 22-PP-2004 TO A DATE TO BE DETERMINED AND CASES 24-PP-2004 AND 99-DR-2004 TO THE JANUARY 27, 2005 DEVELOPMENT REVIEW BOARD MEETING. SECOND BY MR. JONES.**

**THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).**

**COUNCILWOMAN DRAKE** stated case 106-DR-2004 has been moved from the consent to the regular agenda.

**CONSENT AGENDA**

104-DR-1999#2	Desert Cove Medical Office Site plan & elevations 8960 E. Desert Cove Ave Design Lab, Architect/Designer
34-DR-2003#2	Drugstore at Indian School & Miller Gateway design feature

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7552 E. Indian School Road  
Sam West, Architect/Designer

22-DR-2004                      AFL for Sprint WCF  
Replace existing light pole with new light  
pole containing 3WCF antennas  
Cactus Road, W. of the 105<sup>th</sup> St. alignment  
Young Design Corp Architects,  
Architect/Designer

24-PP-2004                      Offices @ Pinnacle Peak & Miller  
Preliminary Plat  
7655 E. Pinnacle Peak Rd  
DFD Cornoyer Hedrick, Architect/Designer  
**Continued to January 27, 2005**

98-DR-2004                      Hacienda Lighting Office/Warehouse  
Site plan and elevations  
7443 E. Greenway Rd  
Baldinger Architect, Architect/Designer

102-DR-2004                      City of Scottsdale Arsenic Mitigation Ste 115  
Site plan and elevation  
21790 N. Hayden Road

106-DR-2004                      Watkins Residence  
Cuts and fills greater than 8 feet  
14281 E. Desert Cove Ave  
David Hamblen, Architect/Designer

(PULLED TO REGULAR AGENDA)

**VICE CHAIRMAN CORTEZ MOVED TO APPROVE CASES 104-DR-1999#2, 34-DR-2003#2, 22-DR-2004, 98-DR-2004, AND 102-DR-2004 ALL WITH THE ATTACHED STIPULATIONS. SECOND BY MR. JONES.**

**COUNCILWOMAN DRAKE** noted the Board reviewed all of these cases in study session and their questions answered.

**THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).**

**REGULAR AGENDA**

106-DR-2004                      Watkins Residence  
Cuts and fills greater than 8 feet

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14281 E. Desert Cove Ave  
David Hamblen, Architect/Designer

**MS. WAUWIE** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations. Staff has conferred with the Applicant regarding the study session comments and the Applicant is ready to make some statements.

**MR. SCHMITT** inquired about the purview of the DR Board to review this request. Ms. Wauwie provided information regarding the Board's purview.

**DAVID HAMBLÉN** stated that he is the architect for this project. He explained the reason for having rather large retaining areas and cut areas. He discussed the constraints of the site. He further stated the retaining walls were stepped significantly. He further noted we will only be using NAOS vegetation. He concluded we have done the best we can with this site.

**MR. D'ANDREA** applauded the Architect for his efforts. He stated that he is supportive of the project and the home is well done.

**MR. SCHMITT** stated he would reiterate what he said in the study session if the floor were able to work with the site a little more they would be able to mitigate the retaining walls a little further. He further stated that he thought they have done a relatively good job balancing the cut and fill. He noted the treatment of the walls should be as natural as possible.

**MR. D'ANDREA MOVED TO APPROVE CASE 106-DR-2004 WITH THE ATTACHED STIPULATIONS. SECOND BY MR. JONES.**

**THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).**

76-DR-2004

Flathead Monark Group LLC  
Site plan and elevations  
7542 & 7548 E. Camelback Rd  
Studio Architecture, Architect/Designer

**MR. WARD** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

**MR. JONES** requested clarification on the colors.

**STEVEN HILFRECK**, Studio Architecture, explained the brighter orange color was switched to golden yellow. He responded to questions and comments from the Board members' regarding the colors.

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**MR. JONES MOVED TO APPROVE CASE 76-DR-2004 WITH THE ADDED STIPULATION:**

**THE YELLOW MARIGOLD COLOR IS MIXED EVENLY WITH THE GOLDEN DUNES COLOR TO PRODUCE A SOFTER MORE HARMONIOUS TRIM COLOR.**

**SECOND BY MR. SCHMITT.**

**THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).**

78-DR-2004

McDowell Mountain Business Center  
Site plan & elevation  
N. Pima Rd  
DFD Cornoyer Hedrick.  
Architect/Designer

**MR. WARD** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

**MR. O'NEILL** inquired if the Board would typically see the parking structure. Mr. Ward replied there is a small detail of the parking structure included on attachment 9. He explained the parking structure is a prefabricated structure with one ground level and two levels above grade and is concrete painted to match the building.

**MR. JONES** stated during the study session he commented on the reflective glass and during the break he spoke with the Architect and he assured me the comment in the narrative that notes the use of reflective pewter colored glass is not correct that the glass would not be reflective but tinted.

**MR. D'ANDREA** suggested a different treatment or color for each of the buildings would give both its own identity especially if it is not the same tenant for the buildings.

**MR. O'NEILL** remarked in the staff report under key issue it states staff would like to see a darker base color around the bottom of the building, he inquired where staff felt that would be needed. Mr. Ward replied between first and second floor between the windows.

**MIKE EDWARDS**, DFD Cornoyer Hedrick, stated he would like to address Mr. D'Andrea's comment regarding looking at two different color palettes for the two different building, we would be happy to look at that as a good suggestion.

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**MR. D'ANDREA MOVED TO APPROVE CASE 78-DR-2004 WITH THE ATTACHED STIPULATIONS AND WITH THE OPTION FOR THE ARCHITECT TO INVESTIGATE ANY ALTERNATIVE COLORS FOR THE BUILDINGS. SECOND BY MR. JONES.**

**VICE CHAIRMAN CORTEZ** noted there was a comment about the reflective glass and the parking garage exhibit.

**MR. D'ANDREA AMENDED THE MOTION THAT THE GLASS IS TINTED AND NOT REFLECTIVE. AND THE PARKING GARAGE AS SHOWN IS SUITABLE FOR THE BOARD. SECOND BY MR. JONES.**

**THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).**

86-DR-2004

Patchlink Corporate Office Building  
Site plan and elevations  
8900 E. Bahia Dr.  
Moosavi Design Group, Architect/Designer

**MR. WARD** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

**MR. O'NEILL** stated to make sure he understood the height of 42 feet is with the exception to the final parapet around the entry and in the ordinance the entry is allowed to be the height it is shown on the plan. Mr. Grant replied staff has a little trouble looking at this as a monument, it is part of the building for us and it does identify the front door. And I don't think it would be something like we see in an archway over a driveway identifying the entrance to a parking lot or something like that. Staff expects that the height limitation for buildings in this area would be respected. Mr. O'Neill stated the only thing I am trying to prevent is setting a precedence. Mr. Grant stated that he was not sure how much of it is functional relative to the doorways and how much is an opportunity for signage.

**MR. STEINBERG** inquired if the code allows the height to go up to 45 ft. or are we just varying the height. Mr. Ward explained the 42-ft is a permissible height in this district for screening mechanical. The additional part would be considered a monument. The stipulations in the case limit to 42 ft. and that is what the ordinance says for this area. Mr. Steinberg inquired if the signage is illuminated. Mr. Ward replied the applicant could address that.

**RAUF MOOSAVI**, Moosavi Design Group, stated the signage does not have illumination noting they do not have any night activities.

**MR. JONES** complimented the Architect for making the concessions he has and moving the equipment to the ground. He stated the raised areas for the sign

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location detract from the design and does not create a monument or provide a screen of the equipment. The raised building area does not improve these types of conditions and in his view, detracts from the design.

**MR. D'ANDREA** expressed his concern with regard to the floor area ratio if the lot were subdivided because it would penalize the new buyer because the second phase building would be significantly smaller than this building. Mr. Ward explained the land division is in fact that way to assure the FAR requirements for Horseman's Park are met. There is a stipulation requiring the land divided with the northerly portion compensating for the additional floor area ratio on the south. Mr. Grant stated the concern is that we would be overbuilding on this site and we do not want to exceed the maximum FAR on this site.

**MR. STEINBERG** inquired if these are separate zoning lots. Mr. Grant stated the Board is reviewing this as one lot. He further stated the only way they can build what they want is to taking some of the development rights from a portion of the adjacent lot that they also own.

**MR. D'ANDREA** stated that he would like to see a stipulation that if they did subdivide the new owner would not be penalized. Mr. O'Neill stated that he felt that would be their issue in marketing the property if they subdivide.

**MR. SCHMITT** stated as a single piece of property FAR is not an issue and would only be an issue down the road if it were subdivided. He inquired what remains to be screened at the top of the building that would justify a 42-foot parapet. Mr. Moosavi provided information on the different kinds of mechanical equipment and where it would be located. He noted the smaller units would be placed in the roof where they would be covered. Mr. Schmitt inquired about the justification for the additional three feet of parapet. Mr. Moosavi stated this is a high tech building and they cannot control where those smaller units are going to sit so they prefer to have the freedom to move them correctly to get maximum balance. Mr. Schmitt stated that he felt the proportions of the building seem to be detrimentally affected by the height of the parapet in that area.

**MR. JONES** inquired if the Applicant could work with the 42-foot height since the 45-foot height probably would not pass. Mr. Moosavi stated they would try there best noting this is a preliminary design. He further stated they would not be blocking the views of the mountains.

**MARK WILLIAMS** stated he is Chairman of the Board of Patchlink. He presented information on Patchlinks needs with regard to this building. He noted they would be employing 150 to 200 employees. He further noted they would like to stay in Scottsdale.

**COUNCILWOMAN DRAKE** stated her understanding there is a height limit in this area and the Applicant is requesting three feet beyond that and the elevation being requested for the additional three feet is a sign parapet, which would not meet the ordinance requirements. Mr. Grant provided information regarding the conditions where additional height would be allowed above the 42 feet. Councilwoman Drake reported that it is her understanding that this could not be done without an amendment or variance for the additional height. Mr. Grant replied in the affirmative. The President of Patchlink stated that sections of the building would allow them to have flexibility in the future to be able to hide equipment up there.

**MR. JONES** expressed his concern that we are missing some of the points. He stated everyone appreciates this Company and what it does and its importance to the City but that is not the issue. He remarked the 45-foot height in his view does not improve the design of the building. If there is a future piece of equipment that requires hiding that could be dealt with individually. He added if the Board granted the ability to go 45 feet to provide signage that would set a terrible precedence. The President of the Company provided information on the view of the building at the 42-foot height noting they felt it could be improved with the additional height. He explained high tech companies have to build higher.

**COUNCILWOMAN DRAKE** stated the only way we are authorized legally to allow even the 42-foot height is for screening mechanical equipment and there might be an exception for a monument. She further stated that although we are sympathetic the ground rules established by the zoning ordinance are the 42-foot limit. Mr. Grant replied that is correct. There is an avenue to amend the PCD Development Standards for this property. Councilwoman noted the DRB is not authorized to grant the additional height.

**MR. SCHMITT MOVED TO APPROVE CASE 86-DR-2004 WITH THE STIPULATION THAT THE ORDINANCE ALLOWED 42 FOOT PARAPET HEIGHT NOT BE EXCEED. AND THAT IF IT IS NECESSARY TO EXCEED THAT HEIGHT THEN WHATEVER VARIANCE ADJUSTMENT OR DEVELOPMENT STANDARD ADJUSTMENT NEED TO MADE THROUGH OTHER MEANS. SECOND BY MR. JONES.**

**THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).**

92-DR-2004

Scottsdale Royale  
Site plan and elevations  
Synectic Design Incorporated,  
Architect/Designer

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**MS. WAUWIE** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations. She noted the dates on Stipulations No. 1 B and C need to be updated to January 6, 2005.

**LANCE BAKER**, architect discussed how the Board's concerns from the last meeting have been addressed. He reviewed the proposed color changes.

**COUNCILWOMAN DRAKE** stated she appreciated the steps the Applicant has taken. She inquired if the Applicant would consider taking it a tiny bit farther by eliminating the one parking space at the north end of the property. And shifting the whole thing back another notch, which would make the turf start at the building line and then dipping slightly toward the street. And that would maintain the continuity along Miller Road by losing three spaces. Mr. Baker replied the premise of this project is to enhance the economic vitality by adding this parking. He presented context photos of the adjacent. The contention is that they are meeting the typical setback and landscaping with what they are proposing. Councilwoman Drake noted she would prefer to see that setback maintained.

**MR. D'ANDREA** inquired if the parking requirement for the tenants would be satisfied if those three spots were eliminated. Mr. Baker replied in the negative. Mr. D'Andrea stated he would hate them to lose the precious parking that they have. He added he supports the project as submitted. Mr. Baker noted every parking space is important to make this a viable project.

**MR. D'ANDREA MOVED TO APPROVE CASE 92-DR-2004 WITH THE ADDED STIPULATION TO CHANGE THE DATES ON ITEMS B AND C TO REFLECT 1/6/05. SECOND BY MR. JONES.**

**THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).**

99-DR-2004

Spec Home for Landmark Partners  
Site plan and elevation  
13358 E. Mountain View Road  
**Continued to January 27, 2005**

### **ADJOURNMENT**

With no further business to discuss, the regular meeting of the Scottsdale Development Review Board was adjourned at 2:30 p.m.

Respectfully Submitted

"For the Record" Court Reporters

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